



State of Alaska
Department of Law
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Office Use Only

TELEPHONIC SELLER REGISTRATION APPLICATION

- File a separate registration form for each telephonic solicitation campaign.
- **Submit the form with payment of the \$200 registration fee** (by credit card or check payable to "State of Alaska"). The fee is nonrefundable.
- Registration is complete when the Department of Law sends notice that registration is complete.
- The applicant must be registered with the Department at least 30 days before the solicitation campaign begins.
- If there is a material change in the information required by 9 AAC 14.010, the telephonic seller shall, within 10 days, file an addendum updating the information with the department.
- Changes in salespersons soliciting on behalf of a telephonic seller, or salespersons previously listed who no longer solicit on behalf of the telephonic seller, must be updated by addendum every 90 days after the telephonic seller registration form is filed. The addendum for salespersons must include the same information required on the telephonic seller's registration form. The addendum must be submitted in the form of an affidavit setting out the relevant changes of information and must be attached to a copy of the telephonic seller's registration form it is amending.

Initial Registration or Renewal: (check one) Initial Registration Registration Renewal

Applicant Information: (check one)

- Applicant will conduct the telephonic solicitation campaign and is the entity that will provide the goods or services being offered.
- Applicant will conduct the telephonic solicitation campaign on behalf of the entity that will provide the goods and services offered in the solicitation campaign.
 The entity that will provide the goods or services is: _____

General Information:

1. Applicant's legal name _____
 Applicant's mailing address _____
 City _____ State _____
 Zip Code _____ Country (if not USA) _____
 Applicant's physical address (a box number or virtual office address is not sufficient)
 Street address (and apartment or unit number if applicable) _____
 City _____ State _____
 Zip Code _____ Country (if not USA) _____
 Applicant's telephone no. _____ Applicant's fax no. _____
 Applicant's email address _____ Website _____

2. Name(s) to be used when contacting the public:

3. Names under which applicant has previously done business or intends to do business:

4. Applicant's EIN/Tax ID# (*nine digits*) _____

5. States where applicant is registered to conduct telephonic sales:

6. States where applicant's registration to conduct telephonic sales has been denied, suspended, or revoked:

7. List all telephone numbers used in connection with the telephonic solicitation: (*Attach additional pages as necessary*).

8. List all other addresses from which applicant will conduct business. If an address is a private mail box, please so indicate.

Detailed Description of Goods or Services to be Offered

9. Please provide a detailed description of the goods or services to be offered in the telephonic solicitation campaign, including costs.

The Written Contract

10. Alaska Statute AS 45.63.020 requires that a telephonic seller obtain a signed, written contract from the buyer before accepting payment for the purchase. The contract must include notice of the buyer's right to cancel under AS 45.63.030. (The buyer may cancel for any reason within 7 days, and obtain a refund, credit or replacement, and at any time if the goods or services are defective, not as represented, or not received as promised). Please attach a sample copy of the written contract that complies with these provisions, marked as **Exhibit 1**.

11. The contract must provide additional disclosures under 9 AAC 14.040 if the solicitation campaign involves any of the following offers:

- if the prospective buyer will receive a gift, premium, bonus, or prize
- if the offer includes the sale of any metal, stone, or mineral
- if there is an offer for the sale of an interest in oil, gas, or mineral fields, wells, or exploration sites
- if the telephonic seller represents that office equipment or supplies are offered for sale at prices below those usually charged
- if the telephonic seller represent that "yellow pages" advertising or other directory advertising is offered for sale at prices below those usually charged.

Check one: The solicitation campaign does not include any of the above offers.

The solicitation campaign includes one of the above offers, and the contract includes the disclosures required under 9 AAC 14.040.

The Telephonic Solicitation Campaign

12. How will the telephonic solicitation campaign be conducted in Alaska? *(Check all that apply)*.

- Telephone calls into Alaska (i.e. outbound calls)
- By fax
- Inbound calls, in response to individualized mailings or advertisements
- Other (describe) _____

Note: Under the Alaska Telephonic Solicitations Act, a sale by “telephonic means” includes a sale by telephone, fax machine, and electronic communication. It also includes written correspondence or advertisements that advise, request, motivate, or otherwise encourage a person to contact a seller by telephonic means. AS 45.63.100(6). It does not include written communication to a “boxholder”, “occupant”, “resident”, or similar generic description of the recipient, or to print advertising unless it is directed to a specific person or entity. 9 AAC 14.900(b)(3).

13. Scripts

Alaska Statute 45.63.045(a)(1) requires that within the first 15 seconds of a call, the caller must clearly and conspicuously disclose the seller’s name and telephone number, whom the seller represents, and that the call is a sales call. AS 45.63.045(a)(1). **Your sales script must include this information.**

- (a) Will sales or verification scripts be used in the course of the telephonic solicitation? *(check one)* Yes No
- (b) If you checked “yes,” attach a copy of all scripts that will be used, marked as **Exhibit 2**.
- (c) If you checked “no,” please explain how the applicant will ensure that salespersons are complying with AS 45.63.045(a)(1):

14. Sales Information

- (a) Please attach sample copies of all sales or training materials provided to salespersons, such as sales literature, print or online training materials, outlines, instructions or guidelines for conducting telephonic sales, sample introductions or closings, product information, and contest or premium or award information, and mark the documents as **Exhibit 3**.
- (b) If no materials are provided to salespersons, check here

15. Buyer Information

- (a) Please attach sample copies of all written materials sent to any prospective or actual buyer, marked as **Exhibit 4**.
- (b) If no materials are provided to prospective or actual buyers, check here

16. Alaska Statute 45.63.045(b) requires telephonic sellers to terminate the solicitation and end the call if the consumer objects to the call or indicates that he or she is not interested in the product or services being offered. This means that rebuttals are not permitted. Please explain how the applicant will comply with this provision.

17. Alaska law prohibits telephone solicitations to consumers (a) whose numbers have been registered with the national do not call registry, or (b) who have previously communicated that they do not wish to receive telephone solicitations from the seller. AS 45.50.475(a)(2) and (a)(3). Please explain how the applicant will comply with these provisions.

18. Alaska Statute 45.50.475(a)(4) prohibits a telephonic seller from originating a telephone call using an automated or recorded message as a telephone advertisement or a solicitation. Please explain how the applicant will comply with this provision.

Organizational Information

19. Applicant is a: *(select one)*

Corporation Limited Liability Company Partnership Sole Proprietorship

Other *(specify type of entity)*: _____

State where established Date Established _____

20. Parent Company/Affiliate Entity Information

(a) The following company is applicant's parent company: (See 9 AAC 14.900(a)(3) for definition of "parent company")

Name: _____

Mailing Address: _____

Physical Address: _____

Telephone Number: _____

Website: _____

(b) Applicant has the following affiliated entities: *(See 9 AAC 14.900(a)(1) for definition of "affiliated entity")*

Attach additional pages as necessary

Name: _____

Mailing Address: _____

Physical Address: _____

Telephone Number: _____

Website: _____

Name: _____

Mailing Address: _____

Physical Address: _____

Telephone Number: _____

Website: _____

(c) Applicant has no parent company or affiliated entity.

Officials and Individuals Responsible for Management *Attach additional pages as necessary, using the same format.*

21. Please provide the following information for each officer, director, general partner, limited partner, sole proprietor, or other responsible individual:

Name: _____ Ownership Interest: Yes No

Home Address *(please provide physical address, not mailbox)* _____

City _____ State _____

Zip Code _____ Country *(if not USA)* _____

Telephone Number _____ Email Address _____

Name: _____ Ownership Interest: Yes No
Home Address (please provide physical address, not mailbox) _____
City _____ State _____
Zip Code _____ Country (if not USA) _____
Telephone Number _____ Email Address _____

22. Identify all individuals, not listed in answer to Question 21 who have management responsibilities in connection with the business.

Name: _____ Ownership Interest: Yes No
Home Address (please provide physical address, not mailbox) _____
City _____ State _____
Zip Code _____ Country (if not USA) _____
Telephone Number _____ Email Address _____
In charge of location at: _____
Management duties include: _____

Name: _____ Ownership Interest: Yes No
Home Address (please provide physical address, not mailbox) _____
City _____ State _____
Zip Code _____ Country (if not USA) _____
Telephone Number _____ Email Address _____
In charge of location at: _____
Management duties include: _____

23. Identify all individuals, who will solicit on behalf of the registrant, and the names they will use when soliciting. Use additional sheets of paper, if necessary, but retain the same format.

Name: _____
Address from which individual will solicit sales _____
City _____ State _____
Zip Code _____ Country (if not USA) _____
Telephone number from which individual will solicit sales _____

Name: _____
Address from which individual will solicit sales _____
City _____ State _____
Zip Code _____ Country (if not USA) _____
Telephone number from which individual will solicit sales _____

Court or Administrative Actions

24. Individuals

- (a) For each individual listed in response to Questions 21 and 22, has the individual:
- (1) been convicted of (including pleading no contest to) a felony or misdemeanor to a charge related to fraud, theft, embezzlement, fraudulent conversion or misappropriation of property? **(check one)** **Yes** **No**
 - (2) been the subject of a judgment or order in a civil or administrative action (including a stipulated judgment or order), related to
 - violations of telemarketing law, fraud, theft, embezzlement, conversion, or misappropriation of property;
 - the use of untrue or misleading representations in an attempt to sell or dispose of real or personal property; or
 - the use of unfair, unlawful, or deceptive business practices? **(check one)** **Yes** **No**

(b) For each individual listed in response to Questions 21 and 22, is the individual currently subject to an injunction or court or administrative order relating to business activity (including action by business or professional licensing authorities)? **(check one)** **Yes** **No**

(c) For any individual for whom “yes” was selected, provide the following information (use additional sheets of paper, if necessary).

Individual’s name and title or position: _____

Court or administrative agency rendering decision, judgment, or order: _____

Case name and case/docket number: _____

Location: _____

Date of conviction, judgment, or order: _____

(d) If none of the individuals individual listed in the answers to Question 21 and 22 have been convicted of (including pleading no contest to) any of the listed criminal charges, and are not subject to any current injunctive or restrictive order, **check this box.**

25. Organizations

Regarding the applicant and any affiliated entity, has the person or organization:

(a) been convicted of a felony or misdemeanor (including pleading no contest) to a charge related to fraud, theft, embezzlement, fraudulent conversion or misappropriation of property? **(check one)** **Yes** **No**

(b) been the subject of a judgment or order in a civil or administrative action (including a stipulated judgment or order), related to

- violations of telemarketing law, fraud, theft, embezzlement, fraudulent conversion or misappropriation of property,
- the use of untrue or misleading representations in an attempt to sell or dispose of real or personal property, or
- the use of unfair, unlawful, or deceptive business practices? **(check one)** **Yes** **No**

(c) For the telephonic seller and any affiliated entity, is the person or organization currently subject to an injunction or court or administrative order relating to business activity (including business or professional licensing authorities)? **(check one)** **Yes** **No**

(d) If "yes" was selected, provide the following information. (Use additional pages, as necessary, in the same format).

Court or administrative agency rendering decision, judgment, or order: _____

Case name and case/docket number: _____

Location: _____

Date of conviction, judgment, or order: _____

(e) If the applicant or affiliated entity has not been convicted of (including pleading no contest to) any charge set out above, and is not subject to any current injunctive or restrictive order related to business activity, **check this box.**

Certification and related information

26. Provide the name and contact information of the individual the Department of Law should contact about this registration.

Name: _____ Title: _____

Mailing Address: _____

Phone Number _____ Email Address _____

CERTIFICATION

By signing this Application for Telephonic Seller Registration, the registrants certify, under penalty of unsworn falsification in violation of AS 11.56.210, that the information provided in this Application and Exhibits are true and correct. The registrants acknowledge that they have read the Alaska Telephonic Solicitations Act (AS 45.63.010 - 43.63.100), and regulations (9 AAC 14.010 -14.900), and agree to comply with these provisions.

The following persons must sign and date this verification (use additional sheets of paper, if necessary, in the same format):

- all executive officers, if the applicant is a corporation
- all general partners, if the applicant is a partnership
- all managing members, if the applicant is a limited liability company
- all owners, if the applicant is a sole proprietorship: all owners;
- any other individuals with similar supervisory roles with respect to any registrant, if the applicant is another type of organization.

Signature _____ Date _____

Printed Name _____ Title _____

Signature _____ Date _____

Printed Name _____ Title _____

Signature _____ Date _____

Printed Name _____ Title _____